

E-Filed on 5/2/08

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,<sup>1</sup>

USA SECURITIES, LLC,<sup>2</sup>  
Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**NOTICE OF HEARING REGARDING  
FOURTH OMNIBUS OBJECTION OF  
USACM TRUST TO PROOFS OF  
CLAIM BASED UPON  
INVESTMENT IN THE PALM  
SPRINGS MARQUIS HOTEL LOAN;  
AND CERTIFICATE OF SERVICE**

Date of Hearing: June 9, 2008

Time of Hearing: 9:30 a.m.

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM  
THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW YOUR  
CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN THE  
PALM SPRINGS MARQUIS HOTEL LOAN BECAUSE THE USACM TRUST**

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.

1 **CONTENDS THAT YOU HAVE BEEN PAID IN FULL FOR YOUR**  
2 **INVESTMENT IN THAT LOAN. THIS OBJECTION WILL NOT IMPACT**  
3 **YOUR CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN A**  
4 **DIFFERENT LOAN.**

5 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY**  
6 **COURT TO DISCUSS THE MERITS OF YOUR CLAIM.** QUESTIONS  
7 **REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM**  
8 **SHOULD BE DIRECTED TO BRANT FYLLING OF SIERRA CONSULTING**  
9 **GROUP, LLC ((602) 424-7009) OR THE UNDERSIGNED COUNSEL.**

10 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust has filed its  
11 Fourth Omnibus Objection to Proofs of Claim Based Upon Investment in the Palm Springs  
12 Marquis Hotel Loan (the "Objection"). Your Proof of Claim number and other  
13 information regarding your claim is provided in **Exhibit A**, attached. The USACM  
14 Liquidating Trust has requested that this Court enter an order, pursuant to Bankruptcy  
15 Code § 502 and Bankruptcy Rule 3007, disallowing your Proof of Claim to the extent it is  
16 based upon an investment in the Palm Springs Marquis Hotel Loan. The Objection will  
17 not impact your Claim to the extent it is based upon an investment in a different loan.

18 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
19 before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley  
20 Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on  
21 **June 9, 2008, at the hour of 9:30 a.m.**

22 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON JUNE 9,**  
23 **2008, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**  
24 **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**  
25 **HEARD ON THAT DATE.**  
26

by June 2, 2008 pursuant to Local Rule 3007(b), which states:

If an objection to a claim is opposed, a written response must be filed and served on the objecting party at least 5 business days before the scheduled hearing. A response is deemed sufficient if it states that written documentation in support of the proof of claim has already been provided to the objecting party and that the documentation will be provided at any evidentiary hearing or trial on the matter.

sent you this notice.

written response on the person who sent you this notice, then:

- calling the matter at the hearing.

Dated: May 2, 2008.

LEWIS AND ROCA LLP

By /s/ Rob Charles (#6593)

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Rob Charles, NV 6593

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*Attorneys for the USACM Liquidating Trust*

May 2, 2008 to:

Parties listed on Exhibit A attached.

s/Renee L. Creswell

Renee L. Creswell

Lewis and Roca LLP